

No. _____

Defendant

MOTION FOR CONTINUANCE

AND NOW, _____, 20 __, () District Attorney () Defense Attorney () Defendant pro se, moves the court to continue and postpone the above captioned case.

Reason for Continuance:

Date Complaint filed:

Signature of applying counsel or defendant pro se

WAIVER AND ACKNOWLEDGMENT OF RECEIPT OF NOTICE

I desire to have my trial postponed in this case. I am aware of my rights to a prompt trial within 365 days from the date on which the Complaint in this case was filed against me, as provided in Pa. Rule of Criminal Procedure, Rule 600, and that if I am not brought to trial within that 365 day period (unless time is excluded therefrom according to law), the charges pending against me in this case must be dismissed and can never be brought against me again. I further understand that if I am not brought to trial within 180 days after the Complaint in this case was filed against me (unless time is excluded therefrom according to law), I have a right to be released on nominal bail pending my trial. I hereby unconditionally give up my right to a prompt trial under Rule 600 to the extent that the time from now to, and including, _____, 20 __, shall be excluded from the 365 day period in which trial must begin and from the 180 day period after which I have a right to be released on nominal bail.

- () I have reviewed this "waiver" with my attorney.
- () I do not have an attorney and I do not wish to consult an attorney.

I acknowledge receipt of notice that I must appear personally for trial on _____, 20 __ at 9:30 A.M. in Courtroom _____, and on each day thereafter at said time, and remain until excused by the court.

Date: _____

Signature of Defendant

I am attorney of record for defendant in this proceeding and I certify that I have advised the defendant of all of his/her rights under Rule 600 and the effect of this waiver upon said rights, and that I have advised defendant that in my opinion this waiver validly waives his/her rights under Rule 600 for the above period of time. I saw defendant sign the above waiver and acknowledgment of receipt of notice in my presence and the same has not been altered, added to, nor has anything been deleted from it since the defendant signed it in my presence.

Date: _____

Signature of Attorney

ORDER

AND NOW, this _____ day of _____, 20 __, upon consideration of the above motion, the above captioned case is continued, and is hereby re-scheduled for trial on _____, 20 __, or as soon thereafter as the case can be reached.

BY THE COURT:

J.

White – filing

Canary – District Attorney

Pink – Defense Counsel